

Customer No. 23932

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

Toby R. Thomas  
Samuel D. Aversa  
John D. Athans

Atty. Docket No.: 47097-00057

Examiner: John Sipos

Group Art Unit: 3721

Application No.: 09/422,510

Filed: October 21, 1999

For: Fill-Through-The-Top Package And  
Method And Apparatus For Making  
The Same

## CERTIFICATE OF FAXING

I hereby certify that this correspondence is being sent via facsimile to (703) 308-7957, addressed to Examiner John Sipos, Group Art Unit 3721, of the U.S. Patent and Trademark Office on March 23, 2001.

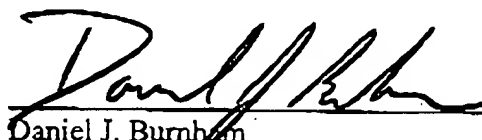
Signature: Janet L. Newmaker  
Janet L. NewmakerSUBMISSION OF POWER OF ATTORNEYCommissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Submitted herewith is an "Election Under 37 C.F.R. §§ 3.71 and 3.73 And Power Of Attorney" for the above-referenced application.

Respectfully submitted,

Date: March 23, 2001



Daniel J. Burnham

Reg. No: 39,618

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1445 Ross Avenue, Suite 3200

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Attorney for Applicants

Customer No. 23932

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**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified patent by virtue of an Assignment recorded in the U.S. Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute this application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

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 HAROLD N. WELLS, Reg. No. 26,044  
 WILLIAM D. WIESE, Reg. No. 40,217

all of the firm of **JENKENS & GILCHRIST**, a Professional Corporation, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof, and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Ronald B. Coolley  
Jenkins & Gilchrist, P.C.  
1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202-2799  
(312) 425-3900

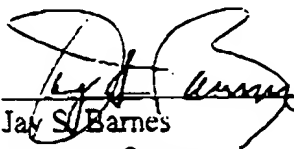
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment referenced below, and certifies that to the best of his knowledge and belief, title remains in the name of Pactiv Corporation.

PACTIV CORPORATION

Date: \_\_\_\_\_

3/23/01

  
Jay S. Barnes  
Assistant Secretary

Assignment

☐ Concurrently filed

☒ Previously recorded

Date: May 8, 2000

Reel: 010825

Frame: 0096

# Jenkins & Gilchrist

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## FROM THE DESK OF:

Daniel J. Burnham  
(636) 527-4906

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1. Examiner John Sipos Group Art Unit 3721	U.S. Patent and Trademark Office	(703) 308-7957	(703) 308-1882
2. Supervisor Hank Recla Group Art Unit 3721	U.S. Patent and Trademark Office	(703) 308-7957	

## • MESSAGE •

Pursuant to a voice mail message from Examiner Sipos yesterday, attached is a Power of Attorney which validates the Terminal Disclaimer which we filed yesterday via facsimile.

**NOTICE OF CONFIDENTIALITY**

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